

KENT COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

ENVIRONMENTAL REVIEW RECORD 2013-2014

FINDING OF EXEMPTION – ADMINISTRATIVE COSTS

According to 24 CFR 570.206 (a) eligible Administrative Costs are defined as:

...“reasonable administrative costs and carrying charges related to the planning and execution of community development activities assisted in whole or in part with funds provided under this part...and...the reasonable costs of overall program management, coordination, monitoring, and evaluation.”

It is the finding of the County of Kent that all activities proposed in the following categories are exempt from the National Environmental Policy Act (NEPA), according to 24 CFR Part 58.34 (a) (3) as they consist entirely of administrative costs as provided by 24 CFR 570.206.

County General Administration – CDBG – Kent County will administer the CDBG programs ascribed and included in this Environmental Review Record.

Homeowner Rehabilitation Program Administration – CDBG – including administrative costs associated with the performance of all rehabilitation programs.

County General Administration – HOME – “Reasonable costs of overall program management, coordination, monitoring, and evaluation...Salaries, wages, and related costs of the participating jurisdiction’s staff...” as provided for in 24 CFR 92.207.

County General Administration – NSP - Housing and Economic Recovery Act §2301(c)(3)

CATEGORICALLY EXCLUDED (A) (not subject to 58.5) and therefore considered EXEMPT

Categorically excluded (not subject to 58.5) include the following types of activities:

- Supportive services such as housing services, permanent housing placement, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to government benefits and services
- Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs.
- Equipment necessary to the operation of a service such as a fire truck, ambulance, transportation service vehicle, etc...

According to 24 CFR 570.201 (e) Public Services are defined as the:

“Provision of public services (including labor, supplies, and materials) including but not limited to those concerned with employment, crime prevention, child care, health, drug abuse, education, fair housing counseling, energy conservation, welfare (but excluding the provision of income payments identified under §570.207(b)(4)), homebuyer down payment assistance, or recreational needs.”

It is the finding of the County of Kent that all activities proposed in the services detailed below are exempt from the National Environmental Policy Act (NEPA), according to 24 CFR Part 58.34 (a) (4) as they consist entirely of public services that will not have a physical impact.

The following is considered Categorically Excluded (not subject to 58.5) and therefore exempt:

Plainfield Township: Plainfield Senior Center Bus Purchase:

\$20,000.00

- The bus will be used to transport seniors to and from activities at the Senior Citizens Center operated by Plainfield Township and various venues in the community.

The following Public Services are Categorically Excluded (not subject to 58.5) and therefore exempt:

Senior Neighbors, Inc. – Senior Neighbors provides noon meals, social activities to reduce isolation, transportation, referrals to services to remain independent, and opportunities for meaningful volunteer work.

Hope Network, North Kent Transit – The North Kent Transit program provides specialized door-to-door transportation services to senior citizens and individuals with disabilities.

Arbor Circle, North County Teen Parenting – The North County Teen Parenting Program provides supportive services for pregnant and parenting teens in the Northern townships to decrease isolation, improve access to resources, and improve parenting knowledge.

Home Repair Services, Foreclosure Intervention – Home Repair Services will provide foreclosure intervention for low/mod income homeowners who are urgently at risk of losing their homes. This program will counsel homeowners and advocate with their mortgage companies.

Senior Meals Program, Inc. – Senior Meals provides nutritionally balanced meals served in both congregate settings and delivered to the homes of needy elderly persons age 60 and over.

North Kent Service Center Summer Lunch Program– The Summer Lunch Program provides food staples to families with school aged children over the summer break when they are not receiving free or reduced lunches at school.

CATEGORICALLY EXCLUDED (B) projects (subject to 24 CFR 51, 58.5, 58.6)

- Categorically Excluded activities include the following an activity that is Categorically Excluded and not subject to 58.5, but takes place in or impacts a floodplain or airport clearance zone.
- Acquisition, repair, improvement, reconstruction or rehabilitation of public facilities and improvements (does not include buildings) when the facilities/improvements are in place and will be retained in the same use without change in size or capacity of more than 20%.
- Architectural barrier removal
- New construction, acquisition and rehabilitation of single family up to 4 units
- New construction or rehabilitation of scattered site single family or 5 or more units as long as not more than 4 units per site and sites 2000 feet apart.
- Acquisition/rehabilitation of multi-family if no change in land use, the density is not increased beyond 20% and the estimated cost of rehab does not exceed 75% replacement value
- Non residential rehabilitation (commercial, industrial, public buildings) only IF: there is no change in land use (from commercial to industrial, etc.); and the Facility/improvement in place and change in size or capacity will not exceed 20%
- Acquisition, leasing, equity loan or disposition of an existing structure or vacant land provided that the structure or land acquired or disposed of will be retained for the same use.

It is the finding of the County of Kent that all activities proposed in the program below are categorically excluded from the National Environmental Policy Act (NEPA), according to 24 CFR Part 58.35 (a) (3) (i). These projects will be carried out in compliance with the federal laws and authorities cited at 24 CFR 58.5 and 58.6 and with requirements listed at 24 CFR 51.

FISCAL YEAR 2013 COMMUNITY DEVELOPMENT BLOCK GRANT

Public Facilities and Improvements

City of Cedar Springs: Waste Water Treatment Plant Roof Replacement:	\$8,550.00
▪ This is a roof replacement due to a leaking roof. The project serves all of the low/mod income target area of the City of Cedar Springs.	
City of Lowell: Sibley Street Reconstruction:	\$20,181.00
▪ The street will be milled and resurfaced. This is Phase II of a previous stretch of Sibley Street that was rehabilitated in 2010-2011.	
Solon Township: McPhail & 21 Mile Street Improvements:	\$18,132.00
▪ McPhail and 21 Mile intersection will be re-graded to improve the site line at McPhail. Currently it is a blind rise from the north and poses a danger to pedestrians and school children crossing to the bus stop.	
Village of Casnovia: Old School Community Center and Parking Lot:	\$7,692.30
▪ The Village will continue to work on the installation of energy efficient upgrades including windows and doors. The parking lot for the adjacent park will receive a paved surface.	

Parks and Recreational Facilities

Byron Township: Cutler Park Improvements:	\$11,618.00
▪ The tennis courts at the south end of the park will be resurfaced as well as general facilities upgrades. This project will not increase the current footprint and will not pose an environmental impact.	
Kent County Parks Department: Dwight Lydell Park ADA Restroom Access:	\$50,000.00
▪ The restrooms will be updated to current ADA accessibility standards.	
Spencer Township: Spencer Township Fire Department Parking Lot:	\$13,324.67
▪ The parking lot will be paved. It serves both the fire department and adjacent township park. It will not increase the current footprint and will not pose an environmental impact.	
Village of Kent City: Ball Creek Memorial Basketball Court:	\$8,000.00
▪ New basketball courts will be installed.	
Village of Kent City: Leaver Park Basketball Court/Ice Skating Rink:	\$4,933.00
▪ A new basketball court and ice skating rink will be installed.	
Village of Sparta: Rogers Park Improvements Phase I Parking Lot:	\$14,585.00
▪ A paved parking lot with ADA requirements will be installed. This will take place in the existing footprint without increasing it by more than 20%.	

Streets and Sidewalks

Alpine Township: Sidewalk and Non-Motorized Trails:	\$2,029.00
▪ The Township will install new sidewalks and or pathways to provide improved access for low/mod residents.	
City of Grandville: Chicago Drive Sidewalks:	\$31,776.00
▪ Sidewalks will be installed along Chicago Drive between Porter and Ivanrest.	
City of Kentwood: 50 th Street Road and Sidewalk Improvements:	\$17,000.00
▪ The road will be milled and resurfaced and sidewalks installed in front of the school. This will take place within the current footprint without increasing it by more than 20%.	
City of Kentwood: East/West Trail Phase IV:	\$100,000.00
▪ The trail will be constructed in the utility right of way.	
City of Lowell: Sibley Street Reconstruction:	\$20,181.00
▪ Sibley Street will be milled and resurfaced. This project will take place in the current	

footprint without increasing it by more than 20%.

City of Walker: Alpine Avenue Sidewalk Connection:	\$46,562.00
▪ Sidewalks with ADA curbs will be constructed along Alpine past the I96 entrance and exit ramps connecting the north and south sides improving resident access.	
Gaines Township: Hanna Lake Sidewalk Improvements:	\$22,115.00
▪ Sidewalks will be installed along Hanna Lake Rd.	

CDBG – Single Unit Residential Rehabilitation

County of Kent: Housing Rehabilitation Program: Rehabilitation loans, emergency repairs, access modifications, and weatherization are made available to eligible low and very low income homeowners. The geographic service area is throughout Kent County with the exception of the City of Grand Rapids and the City of Wyoming.

ACSET: Weatherization:	\$33,338.22
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ACSET will perform weatherization for homeowners to improve energy efficiency in their dwellings. The program will include door blower tests to evaluate the energy loss in the homes and upgrades including roofs, insulation, window replacements, etc.

Home Repair Services (HRS): Access Modification:	\$30,000.00
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HRS will perform minor home repairs for low income homeowners in Kent County including repairs to water heaters, furnaces, windows, electrical, doors, etc.

Home Repair Services (HRS): Minor Home Repair:	\$92,975.15
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HRS will perform minor home repairs for low income homeowners in Kent County including repairs to water heaters, furnaces, windows, electrical, doors, etc.

Kent County Community Development Department:	\$198,988.40
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Moderate Homeowner Rehabilitation: Kent County will administer a Moderate Homeowner Rehabilitation program issuing mortgages to homeowners and facilitating the construction to ensure families are able to retain housing stability.

NSP Rehabilitation/Redevelopment of Affordable Housing:	\$277,715.00
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Provides grants to local communities to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes. This is the final year of this program with the last project nearing completion in late 2013.

Kent County HOME Consortium HOME Investment Partnership Program

The Kent County HOME Consortium provides funding for the development of affordable housing for low and very low income families in the geographic boundaries of Kent County and the City of Wyoming, with the exception of the City of Grand Rapids.

Kent County: Develop Affordable Housing Units:	\$357,830.13
City of Wyoming: Develop Affordable Housing Units:	\$181,827.00

Though these projects are categorically excluded from NEPA requirements, Kent County will comply with the environmental requirements of the other related regulations and authorities as stated in 24 CFR Part 58.5. Specifically, these are as follows:

1. Historic Properties:

No rehabilitation activity shall be performed on any structure 50 years of age or older without first clearing that project with the Michigan State Historic Preservation Office. Local Units of Government will submit the SHPO application when applicable. If a project entails breaking ground or altering an existing road/sidewalk/facility by more than 20% of its current use, SHPO will be completed. 1 for 1 Replacement projects on buildings constructed after 1961 will not require SHPO. The County will determine if a project constitutes an “undertaking”. SHPO will make the determination of the project, stating if there is “no effect”, “no adverse effect”, or an “adverse effect”. Once the determination has been made SHPO “the State” will notify the County as well as the Local Unit, and the HUD environmental field officer. Projects may not proceed until a determination of “no effect” or “no adverse effect” has been made by SHPO as required.

2. Floodplain Management and Wetland Protection:

The County will conduct site-specific reviews in accordance with 24 CFR Part 55 and Executive Order 11988 to determine if proposed activities will be impacted by or have any adverse impact on the 100-year floodplain. Where avoidance of activities in the floodplain or activities that may adversely impact the floodplain is not possible, measures will be taken to mitigate any potential adverse impacts to the floodplain and/or risk of flood loss. Required mitigation measures may include the purchase of flood insurance, elevated structures, or grading/raising of the elevation.

The responsible representative will map the location in the ARC or KCOGS maps with the FEMA flood elevations and wetlands. If a project appears to be in a flood plain or impact a wetland, the Local Unit will obtain and submit for review a FIRM. The responsible representative of the County will submit the FIRM to the HUD Environmental Field Officer for review and approval before the project may proceed.

Any project found to be in a floodplain or wetland will be properly reviewed following the guidelines established by Executive Orders 11988 and 11990.

<http://www.hud.gov/offices/cpd/environment/review/floodplain.cfm>

<http://www.hud.gov/offices/cpd/environment/review/floodplain.cfm>

3. Endangered Species:

The Michigan Department of Natural Resources (DNR) has ceased to accept review request to the Environmental Review (ER) Program after September 16, 2011. Developers should make a preliminary inquiry with the Michigan Department of Natural Resources, Endangered Species Assessment tool at the following link

<http://www.mcgi.state.mi.us/esa/>

or

http://ecos.fws.gov/tess_public/pub/stateListingAndOccurrenceIndividual.jsp?state=MI

If an initial determination of the likelihood of the existence of an endangered species at the project site is great. If the likelihood is favorable, the project may be canceled until further assessment is obtained.

5. Wild and Scenic Rivers:

Kent County has four “wild and scenic” rivers; the Flat, Grand, Rogue, and Thornapple. Projects that may impact one of these resources will require an environmental assessment to determine necessity.

<http://www.rivers.gov/wildriverslist.html>

6. Air Quality:

All project activities will comply with the provisions of the Clean Air Act.

<http://www.hud.gov/offices/cpd/environment/review/cleanair.cfm>

7. Noise:

Apply the noise standard, per 24 CFR 51.101, to the decision whether to approve the proposal (see §51.104) and implement noise attenuation measures (NAG page 39-40) as applicable. Internal noise created by the project will not be a hazard. External noise hazards will be evaluated for each rehabilitation project as part of the completion of a Statutory Checklist. The Noise Assessment Worksheet will be completed if upon checking the KCOGS or ARC maps a railway is within a 3,000 ft, a major road within 1,000, and 15 miles of an airport. If a project is eligible for mitigation based on proximity of noise hazards, they will be required of the project if it proceeds.

<http://www.hud.gov/offices/cpd/environment/review/noise.cfm>

8. Environmental Justice:

All project activities will take into account Executive Order 12898 in consideration that the project site is suitable for its proposed use and will not be adversely impacted by adverse environmental conditions impacting low income or minority populations.

<http://www.hud.gov/offices/cpd/environment/review/justice.cfm>

9. Airport Clearance Zones:

All project sites will be evaluated to determine that they are not within an FAA-designated civilian airport Runway Clear Zone (RCZ) or Runway Protection Zone, or within a military airfield Clear Zone (CZ) or Accident Potential Zone (APZ) - Approach Protection Zone, based on information from the civilian airport or military airfield administrator identifying the boundaries of such zones, OR the project involves only minor rehabilitation, OR the project involves only the sale or purchase of an existing property in the RCZ or CZ.

<http://www.hud.gov/offices/cpd/environment/review/airport.cfm>

10. Explosive and Flammable Operations:

All project sites will be observed to ensure the project is located at an Acceptable Separation Distance (ASD) from any above-ground explosive or flammable fuels or chemicals containers according to "Siting of HUD-Assisted Projects Near Hazardous Facilities" (Appendices F & G, pp. 51-52), OR the project will expose neither people nor buildings to such hazards.

<http://www.hud.gov/offices/cpd/environment/review/explosive.cfm>

11. Toxic Chemicals and Radioactive Materials:

All project sites will be observed to ensure the subject and adjacent properties are free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances which could affect the health or safety of occupants or conflict with the intended use of the subject property. Particular attention will be given to nearby dumps, landfills, industrial sites and other operations with hazardous wastes.

<http://www.hud.gov/offices/cpd/environment/review/hazardous.cfm>

FINDING OF EXEMPTION – EMERGENCY FIRE AND RESCUE EQUIPMENT

According to 24 CFR 570.207 (b) (1) (ii), the purchase of equipment such as “fire protection equipment is considered for this purpose to be an integral part of a public facility. (eligible under 24 CFR 570.201 (c)) Thus, purchase of such equipment would be eligible under the category of Public Facilities and Improvements. This includes fire engines and specialized tools such as “jaws of life” and life-saving equipment as well as protective clothing worn by fire fighters.”

Also, according to 24 CFR 58.34 Exempt Activities are defined as:

Activities for which, “except for the applicable requirements of Sec. 58.6, the responsible entity does not have to comply with the requirements of this part or undertake any environmental review, consultation or other action under NEPA and the other provisions of law or authorities cited in Sec. 58.5 for the activities exempt by this section or (including)...” 58.34 (a) (7) for the “purchase of tools”.

Therefore, it is the finding of the County of Kent that all activities proposed and detailed below are exempt from the National Environmental Policy Act (NEPA), according to 24 CFR Part 58.34 (a) (7) as they consist entirely of acquisition only actions that will not have a physical impact.

The County of Kent intends to provide funding through the Community Development Block Grant Program for the following projects:

Emergency Equipment

Sparta Township: Emergency Fire and Rescue Equipment:	\$1,230.00
Tyrone Township: Emergency Fire and Rescue Equipment:	\$8,554.00

ENVIRONMENTAL ASSESSMENT (EA) – projects (subject to 24 CFR 58.36)

According to (24 CFR §58.36) “activities which cannot be determined to be exempt under §58.34 or categorically excluded from NEPA under §58.35, or which involve a categorical exclusion with “extraordinary circumstances” under §58.2(a) (3), require that a full Environmental Assessment be conducted. While an EA addresses the same issues as those found in a Compliance Determination review, it also includes the following analysis: (1) determines existing conditions; (2) identifies, analyzes and evaluates all potential environmental impacts; (3) examines and recommends feasible ways to eliminate or minimize adverse environmental impacts; (4) examines alternatives to the project-, (5) includes a compliance determination for all other Federal laws and authorities cited in §58.5 and §58.6; (6) leads to an RE’s Finding of No Significant Impact (FONSI), or a Finding of Significant Impact, thereby requiring the execution of an Environmental Impact Statement (EIS”).

Grand Rapids Charter Township: Crahen Valley Overlook and Trail:	\$7,155.00
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- A pathway and overlook will be installed constructed to make the nature area more accessible including ADA accessibility.

City of Lowell: Stoney Lake Public Pathway:	\$5,000.00
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- The City would like to install a non-motorized trail around the Lake.

FINDING OF EXEMPTION – FAIR HOUSING ACTIVITIES

According to 24 CFR 570.206 (c) eligible Fair Housing Activities are defined as the:

“Provision of fair housing services designed to further the fair housing objectives of the Fair Housing Act (42 U.S.C. 3601–20) by making all persons, without regard to race, color, religion, sex, national

origin, familial status or handicap, aware of the range of housing opportunities available to them; other fair housing enforcement, education, and outreach activities; and other activities designed to further the housing objective of avoiding undue concentrations of assisted persons in areas containing a high proportion of low and moderate income persons.”

It is the finding of the County of Kent that all activities proposed in this project are exempt from the National Environmental Policy Act (NEPA), according to 24 CFR Part 58.34 (a) (3) as they consist entirely of administrative eligible costs as provided by 24 CFR 570.206 (c).

The County of Kent intends to provide funding through the Community Development Block Grant Program for the following project:

Fair Housing Center of West Michigan:

\$35,000.00

The Fair Housing Center provides information, training and technical assistance concerning local, State and Federal fair housing laws to governmental, professional, and community-based organizations and to housing consumers regarding the rental, sale, financing, refinancing and insuring of housing; and complaint-based survey testing to monitor evidence of housing discrimination.

FINDING OF CONTINUED RELEVANCE – 2013-2014

The County of Kent intends to continue funding, through the Community Development Block Grant Program, the following activities:

Kent County Parks – Dwight Lydell Park

Environmental Review Completed 03/13/2012

City of Kentwood – East/West Trail Phase IV

Environmental Review Completed 03/13/2012

Village of Casnovia – Old School Community Center and Park

Environmental Review Completed 03/13/2012

Spencer Township – Spencer Township Park Improvements

Environmental Review Completed 05/25/2008

There has been no change in the nature of these activities or in the environment of the specific project areas. Therefore, the County of Kent finds that the existing Environmental Review Records continue to be relevant for these activities and no further environmental review is necessary at this time.